



PROFESSIONAL RESPONSIBILITY FOR GOVERNMENT LAWYERS: WHO IS YOUR CLIENT?

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SCENARIO #1 -

An employee in your office approaches your work station and asks you to witness a pre-nuptial agreement that she and her fiancé are going to execute. She says that they are going to do this at 10:00 a.m. Wednesday morning in the office conference room.

- What should be your response?



SCENARIO #2 –

An agency employee is involved in a high-profile case involving allegations of ghost employment against an executive team member. You are not the attorney on the case, but the employee discusses the case with you as agency counsel and shows you copies of some documents sent by the executive team member.

- Who is the client?
- Is the information confidential?
- Is it a privileged communication?



SCENARIO #3 –

A Special Agent with the OIG asks you to provide documents related to a current investigation involving a high level employee within your agency.

- Should you provide the documents?
- Who can you/should you tell about the request?
- Who is your client?